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6 UNITED STATES DISTRICT COURT FOR THE  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 EDWARD CALE,

10 Plaintiff,

11 v.

12 UNITED STATES OF AMERICA,

13 Defendant.

CASE NO. 2:17-cv-00095-RSM

ORDER GRANTING DEFENDANT'S  
MOTION TO DISMISS

14 This matter came before the Court on Defendant's Motion to Dismiss. Dkt. #7. The Court  
15 has reviewed the Motion, all evidence submitted in support of the motion, and Defendant's reply, as  
16 well as the documents on file, and is otherwise fully informed. Plaintiff has failed to file a Response  
17 or otherwise communicate with the Court in this matter. The failure to file a response "may be  
18 considered by the court as an admission that the motion has merit." Local Civil Rule 7(b)(2). The  
19 Court finds that Plaintiff's Complaint fails for lack of subject matter jurisdiction and fails to state a  
20 claim upon which relief can be granted, and that dismissal with prejudice is warranted given  
21 Plaintiff's lack of response to the instant Motion and for the other reasons stated by Defendant in its  
22 Motion. *See* Dkt. #7 at 7.  
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1       Therefore, it is hereby ordered that the Defendant's Motion to Dismiss (Dkt. #7) is  
2 GRANTED and all of plaintiff's claims against Defendant are dismissed with prejudice.

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4               DATED this 14<sup>th</sup> day of April 2017.

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7                               RICARDO S. MARTINEZ  
8                               CHIEF UNITED STATES DISTRICT JUDGE  
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